



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शुक्रवार, 11 दिसम्बर, 2020/20 मार्गशीर्ष, 1942

हिमाचल प्रदेश सरकार

OFFICE OF THE MUNICIPAL COUNCIL HAMIRPUR
LICENSE BYE-LAWS 2020

NOTIFICATION

Dated, the 25th November, 2020

No. IJ/License bye Laws/3061/MCH/2020.—In exercise of the powers conferred under Section 125, 126, 127, 128 read with section 2020 and 214 of the Himachal Pradesh Municipal Act, 1994, I Kishori Lal Thakur, Executive Officer Municipal Council Hamirpur, Himachal Pradesh hereby notify the following Bye-Laws:—

1. Short title, extent and commencement.—(i) These Bye-laws may be called the Himachal Pradesh Municipality, Hamirpur (Grant of License for use of Premises and Storage of Articles in a Premises) Bye-Laws 2020.

(ii) These Bye Laws shall come into force from the date of their publication in the Official Gazette.

(iii) These Bye-Laws shall apply to all shops/premises falling within the Municipal Limits which may not be used without license for the purpose specified in Section 125, 126, 127, 128 read with section 202 and 214 of the Himachal Pradesh Municipal Act, 1994 as per Annexure I and Annexure-II for storage of any Article within the Municipal Limits.

2. Definitions.—In these Bye-Laws, unless the context otherwise requires.—(a) “Act” means the Himachal Pradesh Municipal Act, 1994, (Act No. 12 of 1994).

- (b) “Authorized Officer” means Executive Officer or any other Officer specifically authorized by the Executive Officer;
- (c) “Inspector” means Sanitary Inspector or any other Official of the Municipal Council duly authorized by the Executive Officer;
- (d) “License” means a written permission granted by the Executive Officer or any other official/officer duly authorized by the Executive Officer in favour of the person, owner & occupier for sale/storage of articles specified in Annexure-I & II of these Bye-Laws;
- (e) “Licensing Officer” means Executive Officer or any other officer duly authorized by the Executive Officer to grant/renew License under the provisions of these Bye-Laws;
- (f) “Premises” means any shop/store/place where the articles specified in Annexure I & II are kept for sale/storage in the go down/premises;
- (g) “Small Scale Business/Trade means premises covering maximum area of 100 sq. ft. to 500 sq. ft. and large Scale Business/Trade means premises covering area of more than 500 sq.ft;
- (h) "Shopkeeper" means any person running and managing the affairs of the shop/premises/place including its owner/occupier;
- (i) The words and expression not defined under these Bye-Laws shall have the same meaning or sense as are defined in Himachal Pradesh Municipal Act, 1994;

3. Procedure for obtaining License.—(a) Any person who wants to operate/run any business/trade as specified in Annexure-I and/or store any article as specified in Annexure-II within the areas of the Municipal Council shall apply for license on prescribed Form A online to Executive Officer, Municipal Council, Hamirpur.

(b) *Period of License:*—(1) The License shall be issued for a period maximum upto fifteen years at a time and the License shall automatically come to an end after completion of such period.

4. Renewal of License.—(i) The License shall be renewed automatically after expiry of the period of license on deposit of requisite/prescribed license fee by the applicant. The license shall be renewed without any late fee and extra document within one month after expiry of license.

The license shall be renewed with penalty of 50% of license fee within next one month and after that period the license shall not be renewed. In that case a fresh Trade license shall be required to be issued.

(ii) No document is required to be submitted for renewal of License.

5. Transfer of License.—(i) The license issued under the Bye-Laws shall not be transferred in the name of any person except in case of the death of original licensee wherein it shall be made/transferred in the name of the legal heirs only for the validity period of license on production of supporting documents and shall be decided by Executive Officer keeping in view the circumstances of the case.

(ii) The Licensee shall provide online information to the Executive Officer for winding up of his business under such license.

6. License Fee.—(i) The license fee for grant of license shall be decided by the Executive Officer from time to time. However, the fee will be calculated on annual license fee rate multiplied by number of years the license is requested by the applicant. The fee shall be charged in the following manner:—

Sl. No.	Scale of business	License period			
		Yearly	5 yearly	10 yearly	15 yearly
1.	Small scale business/trade	100/-	400/-	700/-	1300/-
2.	Medium Business/trade	200/-	800/-	1400/-	2600/-
3.	Large scale Business/trade	500/-	2000/-	3500/-	6500/-

In the fairs, fee shall be charged on the following rates:—

- | | |
|-----------------|-------------------|
| (a) Small shop | Rs. 25/- Per day |
| (b) Medium Shop | Rs. 50/- Per day |
| (c) Large Shop | Rs. 100/- Per day |

Explanation.—A shop covering an area upto 6 Square meters shall be deemed to be a small shop.

7. Conditions for grant of License.—(i) The License shall not be valid for any other purpose, Except for the items/articles for which it is granted under these Bye-Laws.

(ii) The permission shall, unless specified otherwise in the license, be valid in the entire Municipal Council Hamirpur limits, subject to such conditions as may be imposed by the Executive Officer.

(iii) The owner/occupier of the premises shall have to produce the license before the Inspector or the Licensing officer at any point of time as may be ordered by them.

(iv) The Executive Officer shall have a right to impose or alter any of conditions in the license as may be deemed fit by him/her under the provisions of Section 214 of the Himachal Pradesh Municipal Act, 1994.

(v) The applicant shall submit a self declaration regarding information submitted by him/her about the premises to be used for business/trade viz. type of business, area, approval of map and nature of property i.e. commercial and domestic etc. to be true to the best of his knowledge and belief.

(vi) The licensee shall maintain proper record of the articles kept for sale or storage in the premises as may be required by the Licensing Officer. Further the licensee shall comply with all the directions and instructions issued to him by the Executive Officer or the Licensing Officer from time to time.

(vii) The Licensee will ensure timely payment of Municipal dues.

(viii) *Time period for issue of License*:—The license shall be issued as per the time lines notified/specified for this service under Public Service Guarantee Act, 2011.

8. Denial of License.—(1) The license shall not be granted.

- (a) to a person suffering from any loathsome infections or contagious diseases:
- (b) to a person convicted for unlawful sale or storage of any articles mentioned in Section 125, 126, 127, 128 read with section 202 and 214 of the Himachal Pradesh Municipal Act, 1994.
- (c) to a person who has been found to have habitually committed the breach of these Bye-Laws or the terms of the license.
- (d) to a person not below the age of 18 years.

(2) (a) Subject to Bye-Laws 9(1), license to any person, who applies online to the Executive Officer or Licensing Officer in this behalf and tenders the prescribed fee shall be granted by that officer, unless for reasons to be recorded in writing by him.

(b) The License shall be liable to pay transfer charges @ 200/- per license at the time of effecting transfer of License.

(c) The license shall abide by the terms and conditions of the license and the license shall be displayed at the convenient/conspicuous place/reception of the premises.

(d) The Inspector or inspecting staff concerned shall have a right to enter and inspect the premises and the licensee shall provide necessary assistance to the inspecting staff at the time of inspection of licensed premises.

(e) The licensee shall not make any encroachment/overhanging projection on public streets and Municipal drains in any manner.

9. Offences and penalties.—(i) In addition to the penalty as provided under Himachal Pradesh Municipal Act, 1994 any person in possession of the premises found violating any of the provisions of these Bye-Laws shall in the first instance be liable for suspension of license for a period of one week and for repetition of the same violation within two years be liable for penalty of Rs. 1000/- only.

(ii) If the information submitted by the applicant under self declaration is found to be false, he/she shall be liable for the penalty of ten times of the license fee and his/her license will be cancelled.

(iii) In case of repeated violation the concerned person, owner or occupier, as the case may be shall be liable for cancellation/withdrawal of license which can only be restored on receiving written undertaking accompanied by surety from the person violating these Bye-Laws subject to the satisfaction of the Executive Officer.

By order,
Sd/-
Executive Officer,
Municipal Council, Hamirpur, Himachal Pradesh.

नगर एवं ग्राम योजना विभाग

अधिसूचना

शिमला-2, 04 दिसम्बर, 2020

संख्या: टी0सी0पी0-ए (3)-2/2020.—हिमाचल प्रदेश नगर और ग्राम योजना (छठवां संशोधन) नियम, 2020 के प्रारूप को इस विभाग की समसंख्यक अधिसूचना, तारीख 05-09-2020 द्वारा, हिमाचल प्रदेश नगर और ग्राम योजना अधिनियम, 1977 (1977 का अधिनियम संख्यांक 12) की धारा 87 की उपधारा (1) के अधीन यथाअपेक्षित, के अनुसार तद्वारा सम्भाव्य प्रभावित होने वाले व्यक्तियों से आक्षेप (पों) और सुझाव (वों) को आमंत्रित करने के लिए अधिसूचित किया गया था और जिसे राजपत्र (ई-गजट), हिमाचल प्रदेश में तारीख 08-09-2020 को प्रकाशित किया गया था;

और राज्य सरकार को इस निमित्त नियत अवधि के भीतर आक्षेप और सुझाव प्राप्त हुए हैं और उन पर विचार किया गया तथा उन्हें अस्वीकृत किया गया;

अतः हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश नगर और ग्राम योजना अधिनियम, 1977 (1977 का अधिनियम संख्यांक 12) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस विभाग की अधिसूचना संख्या: टी0सी0पी0-ए (3)-1/2014-1 तारीख 1-12-2014 द्वारा अधिसूचित और राजपत्र, हिमाचल प्रदेश में तारीख 01-12-2014 को प्रकाशित, हिमाचल प्रदेश नगर और ग्राम योजना नियम, 2014 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्:-

1. संक्षिप्त नाम और प्रारम्भ.—(i) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश नगर और ग्राम योजना (छठवां संशोधन) नियम, 2020 है।

(ii) ये नियम राजपत्र (ई-गजट), हिमाचल प्रदेश में इनके प्रकाशन की तारीख से प्रवृत्त होंगे।

2. परिशिष्ट-I का संशोधन.—हिमाचल प्रदेश नगर और ग्राम योजना नियम, 2014 से संलग्न परिशिष्ट-I में सामान्य विनियम-III में विनियम 30 के पश्चात् निम्नलिखित नया विनियम अन्तःस्थापित किया जाएगा, अर्थात्:-

"31. सड़क से वैली की ओर या पहाड़ी की ओर अवस्थित समस्त भवनों जिनके नियन्त्रित चौड़ाई/प्रतिधारक दीवार के पश्चात् प्लॉट के भीतर न्यूनतम 2.0 मीटर के सैट बैक हैं और जिनको सड़क से

अबाध पहुँच है, के लिए ऐसे सैट बैंक के सामने पचास प्रतिशत पर (बिना छत की और भवन के समानान्तर) खुली पार्किंग अनुज्ञात की जाएगी। वैली की ओर भवनों की दशा में भवन के स्वामियों को ऐसे सैट बैंक के सामने खुली पार्किंग के लिए पचास प्रतिशत पर अस्थायी स्टील फ्रेम ढाँचा/रैम्प का सन्निर्माण अनुज्ञात किया जाएगा। प्रकाश और संवातन के लिए पर्याप्त अन्तर/स्थान के आशय से प्रस्तावित अस्थायी पार्किंग प्लेटफार्म आर-पार दिखाई देने वाला/छिद्रित/जालीदार (ठोस चादर न हो) हो और जो किन्हीं आपदा प्रबन्धन के प्रयासों तथा संसक्त सड़क पर अबाध यातायात को बाधित न करता हो और जो रजिस्ट्रीकृत संरचना इंजीनियर द्वारा सम्यक् रूप से प्रमाणित हो।

स्पष्टीकरण.—योजना क्षेत्रों और विशेष क्षेत्रों और इन नियमों से संलग्न परिशिष्ट—I के अन्तर्गत, निर्दिष्ट क्षेत्रों के लिए तैयार अन्तरिम विकास योजना और विकास योजनाओं में अन्तर्विष्ट किसी बात के होते हुए भी, उस विनियम में अन्तर्विष्ट उपबन्ध लागू होंगे। ”।

आदेश द्वारा,

रजनीश,
सचिव (नगर एवं ग्राम योजना)।

[AUTHORITATIVE ENGLISH TEXT OF THIS DEPARTMENT NOTIFICATION NO. TCP-A (3)-2/2020 DATED 04-12-2020 AS REQUIRED UNDER CLAUSE (3) OF ARTICLE 348 OF THE CONSTITUTION OF INDIA]

TOWN AND COUNTRY PLANNING DEPARTMENT

NOTIFICATION

Shimal-2, 04th December, 2020

No. TCP-A(3)-2/2020.—WHEREAS, the draft Himachal Pradesh Town and Country Planning (Sixth Amendment) Rules, 2020 were notified vide this Department Notification of even number dated 05-09-2020 and published in the Rajpatra (e-Gazette), Himachal Pradesh on 08-09-2020 for inviting objection(s) and suggestion(s) from the persons likely to be affected thereby, as required under sub-section (1) of Section 87 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977);

AND WHEREAS, objection(s) and suggestion(s) have been received within the stipulated period by the State Government in this behalf and the same have been considered and rejected;

NOW, THEREFORE, in exercise of the powers conferred by Section 87 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Town and Country Planning Rules, 2014, notified vide this Department Notification No. TCP-A(3)-1/2014-I dated 1-12-2014 and published in the Rajpatra, Himachal Pradesh on 1-12-2014, namely:—

1. Short title and commencement.—(i) These rules may be called the Himachal Pradesh Town and Country Planning (Sixth Amendment) Rules, 2020.

(ii) These rules shall come into effect from the date of its publication in the Rajpatra (e-Gazette), Himachal Pradesh.

2. Amendment of Appendix-I.—In Appendix-I appended to the Himachal Pradesh Town and Country Planning Rules, 2014, in General Regulations III, after regulation 30, the following new regulation shall be inserted, namely:—

“31. For all buildings located on valley side or hill sides of the roads and having minimum clear setback of 2.0 M within the plot, after controlled width/retaining wall and having clear access from the road, open to sky parking (uncovered and parallel to the building) on 50% frontage of such setback shall be permissible. In case of buildings on valley side, owners shall be permitted to construct temporary steel frame structure/ramp on 50% frontage of such setback for open to sky parking. The temporary parking platform so proposed should be see-through/ perforated/meshed (not solid sheet) in order to have sufficient gaps/spaces for light and ventilation and should not obstruct any disaster management efforts and smooth flow of traffic on the abutting road and should be duly certified by a registered Structural Engineer.

Explanation.—Notwithstanding anything contained in Interim Development Plan and Development Plans prepared for Planning Areas and Special Areas and in areas referred under Appendix-I appended to these Rules, the provisions contained in this regulation shall apply.

By order,

RAJNEESH,
Secretary (TCP).

In the Court of Sub-Divisional Magistrate, Chamba, District Chamba (H. P.)

Haneef Mohd. s/o Mohd. Yusaf, aged 23 years, resident of Mohalla and Post Office Sultanpur, Tehsil & District Chamba, H. P. (Bridegroom/Husband).

and

Razia Begum d/o Rafi Mohd., aged 22 years, resident of Village Shalan, P.O. Sunuh, Tehsil Salooni, Distt. Chamba, H.P. (Bride/Wife) . . Applicants.

Versus

General Public

Subject.— Notice regarding registration of Marriage under section 15 of Special of Marriage Act, 1954.

PUBLIC NOTICE

Whereas, the above named applicants have made an application before the undersigned under section 15 of Special Marriage Act, 1954 (Central Act) as amended by the Marriage Laws (Amendment Act 01, 49 of 2001) alongwith affidavits and other relevant documents stating therein that they have solemnized their marriage on 05-05-2018 at their place of residences and they are living together as husband and wife since then. Hence their marriage may be registered under Special Marriage Act, 1954.

Now therefore, the general public is hereby informed through this notice that any person who has any objection regarding the registration of this marriage can file the objections personally or in writing before this court on or before 23-12-2020. After that no objections will be entertained and marriage will be registered accordingly.

Issued under my hand and seal of the Court on this 23rd Day of November, 2020.

Seal.

Sd/-
Sub-Divisional Magistrate,
Chamba, District Chamba (H.P.).

In the Court of Sub-Divisional Magistrate, Chamba, District Chamba (H. P.)

Ankush Sharma s/o Sh. Des Raj, aged 30 years, resident of Village Dharwala, P.O. Choori, Sub-Tehsil Dharwala, District Chamba (H. P.), (Bridegroom/Husband).

and

Sanjeevani Sharma d/o Sh. Roshan Lal, resident of Village Lothal, P.O Choori, Sub-Tehsil Dharwala, District Chamba (H. P.), (Bride/wife) . . Applicants.

Versus

General Public

Subject.— Registration of Marriage under Section 8(4) of the H.P. Registration of Marriages Act, 1996 (Act No. 21 of 1997).

Whereas, the above named applicants have made an application before me under section 8(4) of H.P. Registration of Marriages Act, 1996 alongwith relevant records and affidavits stating therein that they have solemnized their marriage on 11-07-2018 at their place of residence with Hindu rites and customs but due to some un-avoidable circumstances it could not be entered in the records of Gram Panchayat Lothal, Development Block Mehla, Tehsil & Distt. Chamba, H.P.

And whereas, they have also stated that they were not aware of the laws for the registration of marriage with the Registrar of Marriages and now, therefore, necessary orders for the registration of their marriage be passed, so that their marriage can be registered by the concerned authority.

Now, therefore, objections are invited from the general public that if, anyone has nay objection regarding the registration of marriage of above named applicants, they should appear before the undersigned in my court on or before 23-12-2020 at 2.00 P.M. either personally or through their authorised agent/pleader.

In the event of their failure to do so, orders shall be passed *ex-parte* for the registration of marriage without affording any further opportunity of being heard.

Issued under my hand and seal of the Court on this day of 23rd of November, 2020.

Seal.

Sd/-
Sub-Divisional Magistrate,
Chamba, District Chamba (H.P.).

**In the Court of Sh. Shivam Pratap Singh, IAS, Sub-Divisional Magistrate, Chamba,
District Chamba (H. P.)**

Anchuk Sharma s/o Late Sh. Parveen Sharma, aged 36 years, resident of Mohalla Hatnala, Chamba Town, Sub-Tehsil & District Chamba (H. P.), (Bridegroom/Husband).

and

Rashika Walia d/o Sh. Hem Raj, aged 25 years, resident of House No. 68/6, National Street Lower Samkhetan, P.O Mandi, Tehsil & District Mandi (H. P.), (Bride/wife) . . Applicants.

Versus

General Public

Subject.— Registration of Marriage under Section 8(4) of the H.P. Registration of Marriages Act, 1996 (Act No. 21 of 1997).

Whereas, the above named applicants have made an application before me under section 8(4) of H.P. Registration of Marriages Act, 1996 alongwith relevant records and affidavits stating therein that they have solemnized their marriage on 29-06-2018 at their place of residence with Hindu rites and customs but due to some un-avoidable circumstances it could not be entered in the records of Municipal Council Chamba, Distt. Chamba, H.P. well in time.

And whereas, they have also stated that they were not aware of the laws for the registration of marriage with the Registrar of Marriages and now, therefore, necessary orders for the registration of their marriage be passed, so that their marriage can be registered by the concerned authority.

Now, therefore, objections are invited from the general public that if, anyone has nay objection regarding the registration of marriage of above named applicants, they should appear before the undersigned in my court on or before 27-12-2020 at 2.00 P.M. either personally or through their authorised agent/pleader.

In the event of their failure to do so, orders shall be passed *ex-parte* for the registration of marriage without affording any further opportunity of being heard.

Issued under my hand and seal of the Court on this day of 26th of November, 2020.

Seal.

SHIVAM PRATAP SINGH, IAS,
Sub-Divisional Magistrate,
Chamba, District Chamba (H.P.).

